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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,624	02/23/2004	Lawrence Shungwei Mok	YOR920030206US1	8420
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Thomas A Beck 6136 West Kimberly Way Glenn Dale, AZ 85308				
EXAMINER				
DUONG, THO V				
ART UNIT		PAPER NUMBER		
3744				
MAIL DATE		DELIVERY MODE		
06/23/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,624

Applicant(s)

MOK, LAWRENCE SHUNGWEI

Examiner

Tho v. Duong

Art Unit

3744

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4 and 6-11 is/are pending in the application.
- 4a) Of the above claim(s) 7-9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6 and 10-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/18/09 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1,3-4 and 6-11 have been considered but are moot in view of the new ground(s) of rejection. Claims 3-4 appear to be cancelled since they depend on cancelled claim 2. Claims 7-9 remain withdrawn from further consideration.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 10-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed subject matters of “said semiconductor chip device is mounted on a

multiple ceramic module" or "said semiconductor chip device is mounted on multiple chips on a support board" in combination with "said semiconductor chip device mounted on said common wiring bearing planar support" are not supported by the original disclosure. Furthermore, the claimed subject matter of "said support fin members being in alignment with said planar support" is not supported in the original disclosure.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claims 3 and 4, it is not clear whether claims 3 and 4 are part of the pending claims since claims 3 and 4 depend on the cancelled claim 2. Regarding claim 1, applicant is reminded that a claim limitation is to be interpreted invoking 35 USC 112, sixth paragraph only if the claim limitation uses the phrase "means for" modified with functional language only, and not by all of the structure necessary for achieving the function. It is not clear which equivalent element(s) in the written description correspond to the "means for improving the transfer of heat from at least one heat source mounted on a planar support to a said heat sink" cited in lines 1-2 of the claim. Does this mean plus function clause corresponds to a heat sink modular assembly (later claimed) or to some other structure.

Regarding claim 1, the claimed subject matter of "said straight finger portion of said edge extending below said bottom wall of said beam member and being folded inwardly toward a center line of each said beam member into said straight finger portion of said edge extending below said bottom wall of said beam member and being folded inwardly beneath said beam

toward a center line of each said beam member into a bent position to form a contacting support structure” renders the scope of the claim indefinite since the claimed subject matter as written not is not understood by the examiner. It appears that there is a redundant in the language of the claim. It is not clear whether applicant is claiming that the straight finger portion being folded toward the center line twice and extending bellow the beneath the bottom wall of the beam member twice. Furthermore, regarding the limitation of “each said finger portion consisting of a straight planar surface”, when the phrase “consist of” appears in a clause of the body of a claim, it limits only the element set forth in the clause. However, applicant later claims that the straight finger portion further has a folded or a bent portion, this renders the scope of the claim indefinite since it is not clear how “the only straight finger portion” as limited by the transitional phrase “consist of” can have a folded or bent portion. A straight and bent or folded portion are structurally different from each other.

Claim 1 recites the limitation “said single heat conducting material sheet” in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation “said straight finger portion” in line 25. There is insufficient antecedent basis for this limitation in the claim. It is not clear whether applicant is referring this “said straight finger portion” to “each said finger portion consisting of a straight planar surface” in line 19.

Claim 6 recites the limitation “the heat dissipation device defined in claim 1” in line 1. There is insufficient antecedent basis for this limitation in the claim.

The non-application of art against claims should not be construed as an indication that the claims contain allowable subject matter but rather that the claims could not be examined on the merits due to indefiniteness.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho v. Duong whose telephone number is 571-272-4793. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tyler J. Cheryl can be reached on 571-272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tho v Duong/
Primary Examiner, Art Unit 3744

Application/Control Number: 10/784,624
Art Unit: 3744

Page 6